

**Mojave Desert Air Quality Management District**  
**Brad Poiriez, Executive Director**  
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**REGULAR GOVERNING BOARD MEETING**  
**MONDAY, APRIL 22, 2024 - 10:00 A.M.**  
**MDAQMD OFFICES, BOARD CHAMBERS**  
**VICTORVILLE, CA**

MINUTES

Board Members Present:

Merl Abel, Town of Yucca Valley  
Brigit Bennington, City of Hesperia, *Vice Chair*  
Paul Cook, San Bernardino County, 1<sup>st</sup> District Supervisor  
Joseph “Joey” DeConinck, City of Blythe – *via teleconference*  
Kari Leon, Town of Apple Valley, *Chair*  
Jamie McCorkle, City of Needles – *via teleconference*  
Dan Mintz, Sr., City of Twentynine Palms  
James Noble, City of Barstow  
V. Manuel Perez, Riverside County, 4<sup>th</sup> District Supervisor – *via teleconference*  
Dawn Rowe, San Bernardino County, 3<sup>rd</sup> District Supervisor – *via teleconference*

Board Members Absent:

Elizabeth Becerra, City of Victorville  
Robert Lovingood, Public Member  
Gabriel Reyes, City of Adelanto

CALL TO ORDER

Chair **KARI LEON** called the meeting to order at 10:01 am and asked Vice Chair **BRIGIT BENNINGTON** to lead the Pledge of Allegiance.

Chair **KARI LEON** called for Roll Call – Deanna Hernandez, Senior Executive Analyst, called roll.

Special Announcements/Presentations:

- A. Mojave Green Gas Station Recognition – Chevron USA #201467, Apple Valley
- B. Mojave Green Gas Station Recognition – Chevron Station #207815, Phelan
- C. Service Award Recognition – Samantha Lopez, 5 years (5/29/2024)

Items with potential Conflict of Interests – If you believe you have a conflict of interest, please recuse yourself at the appropriate time. If you have a question regarding a potential conflict of interest, please contact District Counsel. Chair **KARI LEON** asked if any members wished to indicate a conflict of interest in regards to any agenda items. No Members did so.

**PUBLIC COMMENT** – The public may comment on any item not listed on the agenda. For comments relating to a specific item, please use the public comment card and specify the number of the item on which you wish to speak and submit it to the Clerk.

*In compliance with the Brown Act, the Governing Board may not discuss or take action on non-agenda items or engage in question and answer sessions with the public. The Governing Board may ask brief questions for clarification, provide a reference to staff or other reference for factual information and or direct staff to add an item to a subsequent meeting.*

Chair **KARI LEON** called for **PUBLIC COMMENT**. Being no public comment at this time, Chair **LEON** moved onto the **CONSENT CALENDAR**.

**CONSENT CALENDAR** – Chair **KARI LEON** polled the Board to determine if any member wished pull an item on the consent calendar for discussion. No member did so. The following consent items were acted upon by the Board at one time without discussion. Upon motion by Board Member **BRIGIT BENNINGTON**, seconded by Board **JAMES NOBLE**, and carried by the following roll call vote, with nine **AYES** votes by Board Members, **MERL ABEL, BRIGIT BENNINGTON, PAUL COOK, JOSEPH “JOEY” DECONINCK, KARI LEON, JAMIE MCCORKLE, DAN MINTZ, SR., JAMES NOBLE and DAWN ROWE, with Board Members ELIZABETH BECERRA, ROBERT LOVINGOOD, V. MANUEL PEREZ and GABRIEL REYES absent**, on the Consent Calendar, as follows:

Agenda Item 1 – Approve Minutes from Regular Governing Board Meeting of March 25, 2024.  
**Approved** Minutes from Regular Governing Board Meeting of March 25, 2024.

Agenda Item 2 – Receive and file the District Activity Report.

Presenter: Alan De Salvio, Deputy, APCO.

**Received and filed** the District Activity Report.

Agenda Item 3 – Receive and file Financial Reports through February 2024, which reflects the District’s financial and budgetary performance to date.

Presenter: Laquita Cole, Finance Manager.

**Received and filed** Financial Reports through February 2024, which reflects the District’s financial and budgetary performance to date.

Agenda Item 4 – Set date of June 10, 2024 to conduct a public hearing to consider the amendment of Regulation III – Fees. Specifically, the amendment of Rule 301 – Permit Fees,

Rule 302 – Other Fees, and Rule 303 – Hearing Board Fees and approval of California Environmental Quality Act (CEQA) documentation.

Presenter: Alan De Salvio, Deputy APCO.

**Date Set** for June 10, 2024 to conduct a public hearing to consider the amendment of Regulation III – Fees. Specifically, the amendment of Rule 301 – Permit Fees, Rule 302 – Other Fees, and Rule 303 – Hearing Board Fees and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 5 – Set Date of June 24, 2024 to conduct a public hearing to to to consider a State Implementation Plan (SIP) Cleanup: Specifically the Rescission of South Coast Air Quality Management District Rule 1153 – Commercial Bakery Ovens as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District.

Presenter: Alan De Salvio, Deputy APCO.

**Date set** for June 24, 2024 to conduct a public hearing to to to consider a State Implementation Plan (SIP) Cleanup: Specifically the Rescission of South Coast Air Quality Management District Rule 1153 – Commercial Bakery Ovens as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District.

Agenda Item 6 – DEFERRED ITEMS.

None.

Agenda Item 7 – Conduct a public hearing to consider a State Implementation Plan (SIP) Cleanup: Specifically, the rescission of South Coast Air Quality Management District Rule 1103 — Pharmaceuticals & Cosmetics Manufacturing Operations, as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District in Riverside County, a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, adopting the Rule and directing staff actions.

Presenter: Alan De Salvio, Deputy APCO.

Alan De Salvio, Deputy APCO, provided the staff report and answered questions from the Board. After discussion Chair **KARI LEON** called for public comment, no public comment was made, being none, Chair **KARI LEON** closed the public hearing, made the determination that the CEQA Categorical Exemption applies, and waved reading of the resolution. Upon motion by Board Member **JOSEPH “JOEY” DECONINCK**, seconded by Board Member **BRIGIT BENNINGTON**, and carried by the following roll call vote, with nine **AYES** votes by Board Members, **MERL ABEL, BRIGIT BENNINGTON, PAUL COOK, JOSEPH “JOEY” DECONINCK, KARI LEON, JAMIE MCCORKLE, DAN MINTZ, SR., JAMES NOBLE and DAWN ROWE**, with Board Members **ELIZABETH BECERRA, ROBERT LOVINGOOD, V. MANUEL PEREZ and GABRIEL REYES** absent, the board, adopted resolution 24-09, “A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, ADOPTING A STATE IMPLEMENTATION PLAN CLEAN UP: RESCINDING OF SOUTH COAST AIR

**QUALITY MANAGEMENT DISTRICT RULE 1103 – *PHARMACEUTICALS & COSMETICS MANUFACTURING OPERATIONS*, AS IT APPEARS IN THE SIP FOR THE BLYTHE/PALO VERDE VALLEY PORTION OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT. AND DIRECTING STAFF ACTIONS.”**

Agenda Item 8 – Conduct a public hearing to consider a State Implementation Plan (SIP) Cleanup: specifically the rescission of South Coast Air Quality Management District (SCAQMD) Rules 1125 – Metal Container, Closure and Coil Coating Operations, and 1126 – Magnet Wire Coating Operations as they appear in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District and to acknowledge that SCAQMD Rule 1107 - Miscellaneous Metal Parts, Products and Coating Operations has been rescinded from the SIP as previously requested, and that the most current SIP approved MDAQMD Rule 1115 - Metal Parts & Products Coating Operations, along with various SIP approved Federal Negative Declarations adequately regulate the source categories; a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, adopting the SIP Cleanup, and directing staff actions.

Presenter: Chris Anderson, Planning/Air Monitoring Supervisor I.

Chris Anderson, Planning/Air Monitoring Supervisor I, provided the staff report and answered questions from the Board. After discussion Chair **KARI LEON** called for public comment, no public comment was made, being none, Chair **KARI LEON** closed the public hearing, made the determination that the CEQA Categorical Exemption applies, and waved reading of the resolution. Upon motion by Board Member **JOSEPH “JOEY” DECONINCK**, seconded by Board Member **BRIGIT BENNINGTON**, and carried by the following roll call vote, with ten **AYES** votes by Board Members, **MERL ABEL, BRIGIT BENNINGTON, PAUL COOK, JOSEPH “JOEY” DECONINCK, KARI LEON, JAMIE MCCORKLE, DAN MINTZ, SR., JAMES NOBLE, V. MANUEL PEREZ and DAWN ROWE**, with Board Members **ELIZABETH BECERRA, ROBERT LOVINGOOD and GABRIEL REYES** absent, the board, adopted resolution 24-10, “**A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, ADOPTING A STATE IMPLEMENTATION PLAN CLEAN UP: CONSISTING OF THE RECSISSION OF SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) RULES 1125 – *METAL CONTAINER, CLOSURE AND COIL COATING OPERATIONS*, AND 1126 – *MAGNET WIRE COATING OPERATIONS* AS THEY APPEAR IN THE SIP FOR THE BLYTHE/PALO VERDE VALLEY PORTION OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT AND TO ACKNOWLEDGE THAT SCAQMD RULE 1107 - *MISCELLANEOUS METAL PARTS, PRODUCTS AND COATING OPERATIONS* HAS BEEN RESCINDED FROM THE SIP AS PREVIOUSLY REQUESTED, AND THAT THE MOST CURRENT SIP APPROVED MDAQMD RULE 1115 - *METAL PARTS & PRODUCTS COATING OPERATIONS*, ALONG WITH VARIOUS SIP APPROVED FEDERAL NEGATIVE DECLARATIONS ADEQUATELY REGULATE THE SOURCE CATEGORIES. AND CONFIRM THAT SCAQMD RULE 1107 – *MISCELLANEOUS METAL PARTS, PRODUCTS AND COATING OPERATIONS***

**HAS BEEN REMOVED FROM THE SIP IN THE BLYTHE/PALO VERDE PORTIUNON OF RIVERSIDE COUNTY AS PREVIOUSLY REQUESTED, AND DIRECTING STAFF ACTIONS.”**

Agenda Item 9 – Conduct a public hearing to consider a State Implementation Plan (SIP) Cleanup: Specifically the Rescission of South Coast Air Quality Management District Rule 1173 – Fugitive Emissions of Volatile Organic Compounds as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District and to acknowledge that currently SIP approved MDAQMD Rule 1102 along with various SIP approved Federal Negative Declarations adequately regulate the source category: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the CEQA Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, adopting the SIP Cleanup: Rescission of South Coast Air Quality Management District Rule 1173 – Fugitive Emissions of Volatile Organic Compounds as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District and to acknowledge that currently SIP approved MDAQMD Rule 1102 along with various SIP approved Federal Negative Declarations adequately regulate the source category.

Presenter: Alan De Salvio, Deputy APCO.

Chris Anderson, Planning/Air Monitoring Supervisor I, provided the staff report and answered questions from the Board. After discussion Chair **KARI LEON** called for public comment, no public comment was made, being none, Chair **KARI LEON** closed the public hearing, made the determination that the CEQA Categorical Exemption applies, and waved reading of the resolution. Upon motion by Board Member **JOSEPH “JOEY” DECONINCK**, seconded by Board Member **BRIGIT BENNINGTON**, and carried by the following roll call vote, with ten **AYES** votes by Board Members, **MERL ABEL, BRIGIT BENNINGTON, PAUL COOK, JOSEPH “JOEY” DECONINCK, KARI LEON, JAMIE MCCORKLE, DAN MINTZ, SR., JAMES NOBLE, V. MANUEL PEREZ and DAWN ROWE**, with Board Members **ELIZABETH BECERRA, ROBERT LOVINGOOD and GABRIEL REYES** absent, the board, adopted resolution 24-11, **“A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, SIP CLEANUP: RESCISSION OF SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT RULE 1173 – FUGITIVE EMISSIONS OF VOLATILE ORGANIC COMPOUNDS AS IT APPEARS IN THE SIP FOR THE BLYTHE/PALO VERDE VALLEY PORTION OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT AND TO ACKNOWLEDGE THAT CURRENTLY SIP APPROVED MDAQMD RULE 1102 ALONG WITH VARIOUS SIP APPROVED FEDERAL NEGATIVE DECLARATIONS ADEQUATELY REGULATE THE SOURCE CATEGORY AND DIRECTING STAFF ACTIONS.”**

Agenda Item 10 – Executive Director Reports:

**Miscellaneous:**

- April 20<sup>th</sup> - Earth Day, District participated with social media posts; Martial Haprov participated in an event in Helendale on 4/16.
- April 22<sup>nd</sup> – Held our Budget Committee meeting.

- April 22<sup>nd</sup> – DOT and Brightline ground-breaking ceremony in Las Vegas.
- April 22<sup>nd</sup> – District kicking off the 2024 Lawn and Garden Equipment Exchange.
- April 22<sup>nd</sup> – EPA proposed approval and deferred action on the sanctions for District Rule 315; this action stops the sanction clock.
- This year we had 24 gas stations receive the Mojave Green award – this is the most ever!
- This year we also had 7 facilities (such as dry cleaners, autobody, batch plants, crematories, wastewater and cannabis engines) receive the Air Aware award – also most ever!
- CDAWG 2024 will be held Nov. 13<sup>th</sup> and 14<sup>th</sup> at the NY NY in Las Vegas. Save the Date postcards to go out. Board members that would like to attend please let Martial, Deanna, or myself know.

**Mr. Poiriez updated the Board of past events:**

- April 3-4<sup>th</sup> – Attended the Blythe Outlook Conference.
- April 8<sup>th</sup> – Participated in a Coordination Call between both Federal Air Agency organizations – AAPCA and NACAA – discussed common issues and where we can build consensus on communication efforts.
- April 9<sup>th</sup> – MDAQMD was recognized by AAPCA on their weekly list serv with a link to our newsletter regarding our school flag program.
- April 10 and 11<sup>th</sup> – participated in the CAPCOA Board. Topics included: Facility specific CTR guidance, Moyer Administration Updates, IRA Monitoring Support grants, Air Toxic Reports inquiries, Spring Membership meeting agenda. Legislative Committee went over updates to about 40 bills. Follow up on AB2522 (Carrillo) AQMD Board compensation – The bill passed on consent at the Assembly Natural Resources Committee; will go to Appropriations Committee but no hearing scheduled as of yet. AB 1857 (Jackson) re: air quality regulations for valley’s (this bill was opposed by Calif. League of Cities and CAPCOA has an oppose position as well), latest on bill it has been amended to only be for South Coast jurisdiction and would require state audits – SCAQMD to oppose bill, State says the bill in current form would cost \$21M annually so real good chance it won’t get out of Appropriations in current form.
- April 16<sup>th</sup> – participated in the WESTAR/WRAP local caucus call.
- April 16<sup>th</sup> - CARB held ISD GDF training on site and in field for our Compliance staff.
- April 16<sup>th</sup> - Participated in MEEC Virtual Board meeting.
- April 17<sup>th</sup> – Attended the Apple Valley State of the Town.

**Mr. Poiriez updated the Board of coming events:**

- April 23-26<sup>th</sup> – Will be attending the AAPCA Spring Conference.
- May 1<sup>st</sup> – will have CAPCOA Executive Committee call
- May 7<sup>th</sup> – will have CAPCOA Finance Committee call
- May 14-16<sup>th</sup> – will attend the NACAA Spring Conference.
- June 6<sup>th</sup> – the MDAQMD staff picnic.

**There is NO scheduled Board meeting in May, so the Next Board meeting will be June 10, 2024 which will include the Budget hearing. There will also be a June 24<sup>th</sup> meeting where we will adopt the budget and other business; please note two Board meetings scheduled in June.**

